

REMARKS

This Amendment responds to the Office Action mailed July 26, 2005 in the above-identified application. Based on the foregoing amendment, allowance of the application is respectfully requested.

Claims 1-16 were previously pending in the application. By this amendment, claims 2, 9 and 10 are amended. Claims 1, 3-8, 11-13 and 16 are canceled without prejudice or disclaimer. Accordingly, claims 2, 9, 10, 14 and 15 are pending in the application. Claims 2, 9, 10 and 14 are independent claims. No new matter has been added.

Claims 1 and 3-8 are rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over claims 1-3 of U.S. Patent No. 6,445,701.

Claims 1, 7 and 8 are rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over claim 1, lines 13-30 of U.S. Patent No. 6,445,701.

Claim 6 is rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over claim 2, lines 40-50 of U.S. Patent No. 6,445,701.

Claims 3-5 are rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over U.S. Patent No. 6,445,701.

Claims 1, 4-5, 7, 11-13 and 16 are rejected under 35 U.S.C. §102(e) as anticipated by Dail et al. (U.S. Patent No. 5,953,344).

Claims 14-15 are allowed. Claims 2, 9 and 10 are indicated to be allowable if rewritten independent form, including all of the limitations of the base claim and any intervening claims.

By this amendment, claims 2, 9 and 10 are rewritten in independent form. Claims 1, 3-8, 11-13 and 16 are cancelled without prejudice or disclaimer. Applicant does not concur in the above rejections and expressly reserves the right to file these claims in a continuation application. Accordingly, claims 2, 9, 10, 14 and 15 are in condition for allowance.

CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

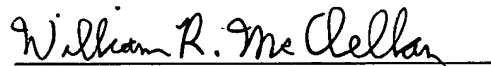
I hereby certify that this document is being placed in the United States mail with first-class postage attached, addressed to **MS Amendment**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 23, 2005.


Paula K. Fairweather

Attorney Docket No.: M1103.70090US01
X10/26/2005

Respectfully submitted,

Paramvir Bahl, Applicant

By: 
William R. McClellan
Reg. No. 29,409
WOLF, GREENFIELD & SACKS, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210
Tel. (617) 646-8000